

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

4/19/2016

6:30 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call Meeting to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

2. Roll Call

Council Present: Commissioner Waldack, Commissioner White, Commissioner Vattimo, Commissioner José, Commissioner Olsen, Commissioner Barnett; Mayor Tully

3. Executive Session

Convene into Executive Session

Commissioner Olsen moved to go into Executive Session pursuant to Section 2(c)(2) of the Illinois Open Meetings Act to consider collective negotiating matters. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, José, Barnett; Mayor Tully

Mayor Tully declared the Motion carried and the Council convened into Executive Session at 6:30 p.m.

Reconvene into Open Session

4. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Tully led those present in the Pledge of Allegiance to the Flag.

5. Roll Call

Council Attendance (Present): Commissioner Waldack, Commissioner White, Commissioner Vattimo, Commissioner José, Commissioner Olsen, Commissioner Barnett; Mayor Tully

Absent: None

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk April Holden

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The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village-owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

Mayor Tully said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

6. Minutes of Council Meetings

MIN 2016-6774 — A. Minutes: Council Minutes - April 12, 2016

Motion: Commissioner Olsen, seconded by Commissioner White, moved to approve the minutes as presented.

Mayor Tully declared the motion carried by voice vote.

7. Proclamation

Mayor Tully proclaimed April 29, 2016, as Arbor Day in the Village of Downers Grove. He reminded the citizens that the Village has been a Tree City for 32 years, and has, as the major portion of its logo, a large tree. He presented the Proclamation to Nan Newlon, Director of Public Works.

8. Public Comments

This is the opportunity for public comments.

1. George Swimmer, 4905 Main Street, thanked the Council members for serving the Village. He said that he has been coming to meetings off and on for 20 years and has talked about railroad safety along the Burlington Northern Santa Fe railroad tracks throughout Chicago and nationally. In 1994, he said that the DuPage Railroad Safety Council was formed and he became a member of that Council. He knew very little about railroading at that time, but he was put on the subcommittee to investigate accidents. He received a call to investigate an accident that took place on Fairview Avenue, and Mr. Swimmer met with the man who had a film of the accident that killed a woman. He learned that on all Metra lines except the BNSF, there was a "hold-out rule" whereby only one train could enter a station at a time. Other trains would have to "hold out" while the commuter train was in the station. BNSF trains can and do pass through at will. Many accidents are caused by a second train passing through a station while another train is stopped and many people have been killed. Last Wednesday morning there was another life lost at Main Street. Mr. Swimmer said that former Police Chief George Graves started strict enforcement of pedestrians crossing the tracks in Downers Grove. Chief Porter did the same thing. Mr. Swimmer said this has bothered him for years. He reiterated that the second train warning system does not exist in Downers Grove. He contacted people responsible for railroad regulations, and was told that this is a railroad problem. The "hold-out rule" still exists. Twenty years later, since the formation of that Safety Council, people are still being killed. He noted that he wrote a book about what is going on and the accidents. It is called

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Railroad Collision: A Deadly Story of Mismanaged Risk. One of the people who helped with the book worked with the Union Pacific. The situation with the BNSF defies common sense. Mr. Swimmer has contacted everyone at the state and federal levels about this and nothing is done, which is ridiculous in his opinion.

Mayor Tully thanked Mr. Swimmer for his comments and the book.

9. Consent Agenda

COR 2016-6775 — A. Claims Ordinance: No. 6153, Payroll, March 18, 2016

BIL 2016-6776 — B. Bills Payable: No. 6258, April 19, 2016

MOT 2016-6742 — C. Motion: Authorize \$31,263.50 to Air One, Inc., Elgin, IL, for Rescue Pumper Equipment

Summary: This authorizes the purchase of firefighting equipment from Air One, Inc. of Elgin, Illinois in an amount not to exceed \$31,263.50.

MOT 2016-6770 — D. Motion: Award a Contract for \$180,560.63 to Denler, Inc., Mokena, IL, for 2016 Crack Sealing Project

Summary: This awards a contract for the 2016 Crack Sealing Project to Denler, Inc. of Mokena, Illinois in the amount of \$180,560.63.

MOT 2016-6748 — E. Motion: Award a Contract for \$2,118,646.00 to Geneva Construction Company, Aurora, IL, for 2016 Street Resurfacing Contract A

Summary: This awards a contract for the 2016 Street Resurfacing Contract A to Geneva Construction Company of Aurora, Illinois in the amount of \$2,118,646.00.

MIN 2016-6773 — F. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Liquor Commission - March 3, 2016

Motion: Commissioner Olsen moved to approve the Consent Agenda as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

10. Active Agenda

ORD 2016-6721 — A. Ordinance: Authorize a Special Use for 4617 Roslyn Road to Permit an Extended Family Accessory Housing Unit

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Summary: This authorizes a special use for 4617 Roslyn Road to permit an extended family accessory housing unit.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 4617 ROSLYN ROAD TO PERMIT AN EXTENDED FAMILY ACCESSORY HOUSING UNIT

ORDINANCE NO. 5532

Motion: Commissioner Olsen moved to adopt "An Ordinance Authorizing a Special Use for 4617 Roslyn Road to Permit an Extended Family Accessory Housing Unit," as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-6758 — B. Ordinance: Amend Certain Traffic & Parking Provisions

Summary: This amends certain traffic and parking provisions.

AN ORDINANCE AMENDING CERTAIN TRAFFIC & PARKING PROVISIONS

ORDINANCE NO. 5533

Motion: Commissioner Olsen moved to adopt "An Ordinance Amending Certain Traffic & Parking Provisions," as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-6763 — C. Ordinance: Amend Ordinance #5412 and the Village of Downers Grove Budget for Fiscal Year 2015

Summary: This adopts certain amendments to the 2015 budget.

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORDINANCE #5412 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2015

ORDINANCE NO. 5534

Motion: Commissioner Olsen moved to adopt "An Ordinance Providing for an Amendment to Ordinance #5412 and the Village of Downers Grove Budget for Fiscal Year 2015," as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

11. First Reading

ORD 2016-6754 — A. Ordinance: Designate the Property at 715-719 Rogers Street as Planned Unit Development Number 50 and Authorize Construction of Two Multi-Family Residence Buildings

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Village Manager, Dave Fieldman, asked Community Development Director, Stan Popovich, to address all three items on the First Reading.

Stan Popovich, Director, Community Development, presented the information on the three First Reading items. He stated that these items relate to a Planned Unit Development (PUD), a rezoning and special use request for property at 715-719 Rogers Street to permit the construction of two 10-unit apartment buildings. He showed slides of the location of the building, saying that there currently is a one-story commercial building on the site. The petitioner proposes to develop two 10-unit apartment buildings that will have parking provided both inside the building and on-street. He said that improvements would be made to curb and gutter on Rogers Street, and to the parkway along Prospect. Stormwater detention is provided via a rain garden system on the site. He also displayed a site plan for the proposed buildings. The proposal complies with the Comprehensive Plan as a transitional land use. He noted the Zoning Ordinance requirements and said that all standards have been met. Mayor Tully agreed that this fits the criteria for a PUD, and meets the rezoning and special use requirements.

ORD 2016-6755 — B. Ordinance: Rezone Certain Property Located at 715-719 Rogers Street

ORD 2016-6756 — C. Ordinance: Authorize a Special Use for 715-719 Rogers Street to Permit Two Multi-Family Residence Buildings

12. Mayor's Report

Mayor Tully said that there will be a Native Tree and Shrub sale, which is on the Village's website at www.downers.us. The Village is sponsoring a sale of trees and shrubs at \$30 each. Details and ordering information are on the website and orders must be received by May 17.

13. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance designating the property at 715-719 Rogers Street as Planned Development Number 50 and authorizing construction of two multi-residence buildings
2. An ordinance rezoning certain property located at 715-719 Rogers Street
3. An ordinance authorizing a special use for 715-719 Rogers Street to permit two multi-family residence buildings

14. Council Member Reports

There were no reports.

Mayor Tully asked for a motion to recess to the Committee Room to discuss the facilities sustainability plan. Commissioner Olsen moved to recess to the Committee Room. Commissioner White seconded the motion. Mayor Tully declared the motion carried by voice vote and a recess was called at 7:25 p.m.

15. Manager's Report - Committee Room

INF 2015-6614 — A. Information: Facilities Plan Update

Summary: This item provides an update regarding the Village's Top Priority Action Item Create a Facilities Sustainability Plan.

The meeting reconvened into the Committee Room at 7:32 p.m.

Deputy Village Manager Mike Baker made the presentation on the continuing discussion as to Village Facilities.

Mr. Baker reviewed the process under consideration regarding the issue of developing a facilities sustainability plan, the resources, options and plan. He said that the Council has stated that the options should heavily focus on the needs of the Police Department and remain within the \$16 million total project budget. He showed an outline of Options 4 and 5 that were prepared in response to the Council's stated criteria.

Option 4 includes a 13,200 square foot addition to the south side of the existing Police Department with interior renovations at a cost of approximately \$14.5 million. He reviewed the interior renovations. As for Village Hall, Option 4 recommends short-term maintenance at a cost of about \$600,000 allowing it to function for the next 5-7 years.

Option 5 includes a renovation and improvement of both buildings to allow for certain Police functions to be housed at Village Hall. This would cost \$16 million. He said all information was included in the materials provided to the Council.

Commissioner Olson thanked Williams Architects and staff for submitting these two new options that more accurately reflect the directions expressed by the Council at the previous meetings. He said that he is pleased to see Option 4 reflect the will of the voters and the Council with respect to the budget parameter base. He thinks staff should further explore Option 4 and encouraged staff and the architects to be mindful of costs, and focus on the necessary maintenance and operational improvements, avoiding "nice to have" features.

Commissioner Vattimo said that she likes Option 4 as well and is happy that the Police Department is to be renovated and asked the Police Department to respond as well to this Option.

Police Chief Kurt Bluder expressed approval of the plan as presented.

Commissioner Vattimo said it is important that the Police Department work closely with staff and the architects.

Commissioner Waldack said that residents made it clear that the price tag was too high, but they want a great Police Department and want to plan for the future. Option 4 is within the budget and makes sense.

Commissioner Waldack added that he also wants to make sure that the Police Department is happy with this plan. He wants this to work.

Commissioner José said that Option 4 takes care of the Police Department and has been his first priority since this process started. This solves the glaring need that has existed for far too long.

Commissioner White said he concurs with everything that has been said, subject to this fulfilling the needs of the Police staff. He thinks they should direct staff to proceed with the implementation.

Commissioner Barnett said he appreciates the efforts of the architect and staff; however, he thinks it is a bad plan. This takes on new debt on expensive land, as this is prime real estate. This also puts the Police Department permanently at its current location and requires debt funding. Commissioner Barnett said it is a retrofit and they will not necessarily get the value. He thinks they could do better. It is a long-term investment. It grows the footprint, and updates the facility, but he doesn't know if this plan is a good idea, as he thinks is short-term and shortsighted. He would like to see a plan for a long-term solution. He realizes he is in a radical minority, but feels this could be better planned.

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Mayor Tully said that each plan has been a compromise. His concern is that every time the Police Department goes forward for certification from the Commission on Accreditation for Law Enforcement Agencies (CALEA), which is every three years, the report calls out the deficiencies of the building. It's the only black mark for the organization. The Mayor said he believes that they must get this done because costs will only increase with time, and the longer they wait the more expensive it will be. Probably the best thing they can do is unhinge Village Hall from the Police Department. Option 4 does basically nothing for Village Hall. It addresses the Police Department issues. He is okay with the plan because it is a compromise. He said that this discussion will come up again because Village Hall will have to be addressed in the future. The budget is tight and there will not be any extras. He commented on the process and the new options under consideration. He was an advocate of moving the Police Department to another location. However, the cost in Option 4 is reasonable. Mayor Tully said he is fine with pursuing Option 4, which kicks Village Hall down the road. He is concerned about investing in Village Hall. This leaves creative options for Village Hall to the future. It does not impede options for the use of the land at Village Hall and the fleet garage.

Commissioner Olsen said that Downers Grove is a built-out community. Option 4 accomplishes much. He commended Commissioner White for challenging staff and the Council to come up with a solution.

Commissioner White said he concurs with Option 4 and the advantages of flexibility for Village Hall. He is open to a land sale project.

Commissioner José agreed that it is right to focus on the Police Department. He noted that \$600,000 is a drop in the bucket for Village Hall, and Council will have to continue to have conversations on this issue.

Commissioner Vattimo said this has been around for a long time, and she sees this as progress. It is time to make progress.

Pubic Comments:

1. John Povlivka asked about an elevator at the Police Department, and Mark Bushhouse, Williams Architects, said that there will be an elevator in the building.

Mr. Fieldman said that the next steps will be a formal plan and implementation.

16. Adjournment

Commissioner White moved to adjourn. Commissioner José seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:03 p.m.

Respectfully submitted,
April Holden
Village Clerk